

## Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 IO-11 OIC-02 CCO-00 CIAE-00

OTPE-00 FCC-01 INR-07 NSAE-00 OC-05 USIA-06 COME-00

BIB-01 DODE-00 DOTE-00 FMC-01 CG-00 OFA-01 DLOS-04

L-03 ACDA-05 PM-04 NASA-01 NSC-05 OES-03 AF-06 ARA-06

EA-07 NEA-10 PA-01 PRS-01 SP-02 H-02 /115 W

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R 021942Z EAR 76

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 9490

INFO AMEMBASSY MOSCOW

C O N F I D E N T I A L SECTION 01 OF 02 LONDON 03317

E.O. 11652: GDS

TAGS: ETEL, PORG, IMCO

SUBJECT: INMARSAT CONFERENCE

REFERENCE: LONDON 3255

1. REFTEL AND PREVIOUS DAILY TELEGRAMS REPORTED THE OUTCOME OF THE SECOND SESSION OF THE CONFERENCE IN SOME DETAIL. THIS MESSAGE IS A SUMMARY OF ISSUES IN THE CLOSING STAGES AND OF THE REMAINING PROBLEMS.

2. THE ISSUEQ CARRIED OVER TO THE SHORT SESSION SCHEDULED FOR SEPTEMBER 1 - 3 ARE THE QUESTION OF VOTING STRENGTH IN THE INMARSAT COUNCIL (SPECIFICALLY THE QUESTION OF AN UPPER LIMIT ON THE VOTE OF ANY ONE DELEGATION) AND THE PROVISIONS, OR LACK OF PROVISIONS, ON RESERVATIONS AND ON THE LANGUAGES OF THE ORGANIZATION. THE FIRST OF THESE, THE VOTING LIMIT, WAS THE CAUSE OF FAILURE TO COMPLETE THE AGREEMENTS AT THIS SESSION.

3. THE THEN REMAINING DIFFICULT ISSUES WERE DISCUSSED  
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FEBRUARY 25-27 BY A GROUP CONVENED BY THE PRESIDENT OF THE CONFERENCE AT THE INSTIGATION OF USDEL AND THE COORDINATOR FOR THE EC COUNTRIES. THESE WERE INVESTMENT SHARES, THE SIZE AND COMPOSITION OF THE COUNCIL, LIABILITY, INVENTIONS AND TECHNICAL INFORMATION, EXPULSION OF SIGNATORIES, OTHER SPACE SEGMENTS, ALL ON THE PRESIDENT'S LIST, AND COUNCIL VOTING AND THE PROPOSED STUDY ON AEROLAUTICAL CAPABILITY, BOTH ADDED BY THE US. THE US PROPOSED A PACKAGE SETTLEMENT OF ALL THESE ISSUES ON FEBRUARY 25, AND THIS, WITH MODIFICATIONS, EMERGED AS THE PRESIDENT'S RECOMMENDATIONS TO THE CONFERENCE ON FEBRUARY 27.

4. ALL OF THESE ISSUES WERE SETTLED BY THE MORNING OF FEBRUARY 27, TO THE REASONABLE SATISFACTION OF THE US DELEGATION, EXCEPT OTHER SPACE SEGMENTS AND THE VOTING LIMIT.

5. THE USSR STUBBORNLY OPPOSED THE ARTICLE ON OTHER SPACE SEGMENTS, WHICH CALLS FOR NOTICE OF PLANS IN THIS AREA IN ORDER TO ENSURE TECHNICAL COMPATIBILITY AND AVOID ECONOMIC HARM TO INMARSAT, ARGUING THAT IT IS BOTH UNNECESSARY AND AN INFRINGEMENT ON SOVEREIGNTY. THEY FINALLY ACCEPTED IT, WITH A CLARIFICATION THAT INMARSAT'S "RECOMMENDATIONS" WILL NOT BE BINDING, WHEN THEY WERE SATISFIED THAT USDEL DID NOT INTEND TO ACCEPT A WEAKER ARTICLE. JAPAN AT FIRST OPPOSED THE ARTICLE BUT AGREED WHEN THE USSR DID; THE EUROPEANS FAVORED IT BUT WERE READY TO GO EITHER WAY.

6. THE DISCUSSION OF A VOTING LIMIT CAME TO AN IMPASSE. THE US OFFERING FINALLY A 30 PERCENT LIMIT WITH REDISTRIBUTION OF INVESTMENT ABOVE THIS LEVEL AT THE OPTION OF THE SIGNATORY LOSING THE VOTE, THE SOVIETS COUNTERING WITH AN OFFER OF 20 PERCENT ON THE SAME BASIS. THE HEAD OF THE SOVIET DELEGATION INSISTED HIS INSTRUCTIONS PERMITTED NO MORE THAN 20 PERCENT. WHEN THE PRESIDENT AND THE EUROPEANS SUGGESTED 25 PERCENT AS A COMPROMISE, WE OFFERED TO CONSULT WASHINGTON, BUT THE SOVIETS SAID THERE WAS NO POSSIBILITY OF A CHANGE IN THEIR INSTRUCTIONS WITHIN OR NEAR THE TIME LIMITS OF THE SESSION.

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WE ARE INCLINED TO BELIEVE THEM; THEY OBVIOUSLY WANT AN AGREEMENT, BUT WERE NOT READY TO TAKE THIS LAST RATHER SMALL STEP. THE EUROPEANS TOO WANT AN AGREEMENT, AND WERE READY TO TAKE THE STEP, THOUGH THEY TOO WOULD LIKE A LOWER LIMIT, AND THEY DID THEIR BEST TO FIND A SOLUTION ACCEPTABLE TO THE US.

7. THE PROVISION FOR THE STUDY OF AERONAUTICAL CAPABILITY IN INMARSAT WANTED BY THE US DELEGATION WAS AGREED IN THE FORM OF A RECOMMENDATION OF THE CONFERENCE. THERE WAS A GOOD DEAL OF RESISTANCE, NOT SO MUCH ON THE BASIS OF SUBSTANCE AS BECAUSE OTHER DELEGATIONS (SHIPPING AND TELECOMMUNICATIONS PEOPLE) WERE RELUCTANT TO ACT IN A MATTER THAT INVOLVES AERONAUTICAL AUTHORITIES, AND THE IDEA WAS ACCEPTED AS MUCH AS AN IMPORTANT AND URGENT REQUIREMENT OF THE US AS BY PERSUASION OF THE

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LOGIC OF THE PROPOSAL. IT WAS MOVED FROM THE TASKS OF THE PROPOSED PREPARATORY COMMITTEE TO A SEPARATE RECOMMENDATION MAINLY TO SATISFY FRENCH SENSIBILITIES ABOUT GIVING A PARTLY AERONAUTICAL TASK TO A SPECIFICALLY MARITIME TELECOMMUNICATIONS GROUP.

8. THE US PROPOSAL FOR A STUDY OF RADIO-DETERMINATION CAPABILITY (FOR NAVIGATION PURPOSES) ALSO WAS ACCEPTED

AND WAS INCORPORATED IN THE TASKS OF THE PREPARATORY COMMITTEE. (SENATOR TED STEVENS, WHO ATTENDED THE CONFERENCE AT AN EARLY STAGE, WAS PARTICULARLY INTERESTED IN THIS PROPOSAL, AS WERE MARAD AND AIMS MEMBERS OF THE DELEGATION.)

9. CONCERNING THE CENTRAL REMAINING ISSUE, WE BELIEVE THERE SHOULD BE DIPLOMATIC CONTACTS WITH THE USSR PRIOR TO SEPTEMBER TO ASCERTAIN WHETHER THEY COULD (WITH TIME FOR INSTRUCTIONS) ACCEPT A 25 PERCENT LIMIT OR TO EXPLORE A SOLUTION ALONG SOME OTHER LINES. HOWEVER IT  
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MIGHT BE BETTER FROM A TACTICAL STANDPOINT TO LET THE SOVIETS OR THE EUROPEANS TAKE THE INITIATIVE; WE BELIEVE BOTH ARE ANXIOUS FOR AGREEMENT. A CONCEIVABLE POSSIBILITY IS A 25 PERCENT LIMIT VOTED OVER SOVIET OBJECTIONS. THE EUROPEANS PROBABLY WOULD BE READY TO TRY THIS, AND WE HAVE NO BETTER SUGGESTION IF NO AGREEMENT IS REACHED, BUT IT PROBABLY WOULD BE NECESSARY TO DROP THE CONCEPT OF REDISTRIBUTION OF THE EXCESS INVESTMENT, WHICH IS UNPOPULAR WITH MOST DELEGATIONS, TO HAVE ANY REAL CHANCE OF GETTING THE NECESSARY TWO-THIRDS VOTE.

10. ANOTHER REMAINING PROBLEM FOR THE US IS PRIVILEGES AND IMMUNITIES. WE TRIED TO AMEND THE P AND I ARTICLE IN THE LATE HOURS FEBRUARY 27 WHEN WE REALIZED IT IS A PROBLEM, BUT WERE UNSUCCESSFUL BECAUSE OF A COMBINATION OF SOVIET OPPOSITION AND ABSTENTIONS. ONE POSSIBILITY IS AN ARTICLE PERMITTING RESERVATIONS ON P AND I. WE HAVE NOT EXPLORED THIS BUT BELIEVE IT MIGHT BE WELCOMED BY SOME OTHER DELEGATIONS. IT ALSO MIGHT ENCOURAGE OTHER RESERVATIONS, THOUGH WE HAVE NOT HEARD OF ANY SPECIFICALLY SUGGESTED. SINCE WE ALSO DO NOT KNOW HOW STRONG THE US OBJECTION TO RESERVATIONS IS, ALL WE CAN SAY, FINALLY, IS THAT THE QUESTION, OR QUESTIONS, P AND I AND THE RESERVATIONS ARTICLE, NEED CONSIDERATION.

11. FOR THE RECORD, A COMSAT REPRESENTATIVE ON BEHALF OF THE CARRIERS ASSISTED USREP AT ALL AND AN OTP REPRESENTATIVE AT ALL BUT THE FIRST OF THE FEBRUARY 25-27 NEGOTIATING GROUP SESSIONS.

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